

Request Quotes from DBE Companies on-line at

<http://www.mdt.state.mt.us/cntrct/contract.htm>

"DBE QUOTE REQUEST"

It's quick and easy..... It's just a click away....

MT-certified DBE companies receive it the same day



Watch Your Mail

**Bidders's Survey
&
Request for Payment Info
to Subcontractors
Coming Soon**

All contractors and consultants for MDT will receive a bidder's survey to complete. It is a one-page form and is needed to help calculate the DBE goal for the next federal fiscal year.

The Federal regulations require MDT to track actual payments rather than subcontract amounts to subcontractors to determine DBE participation in the Montana highway program. The DBE Program office will be sending a letter to all prime contractors with awarded projects over the last twelve months asking for their assistance in providing payment information to all subcontractors on these projects.

Way to go!

These companies achieved high DBE participation on their MDT highway construction projects with 0% project specific DBE goals on the last bid letting!

MONTANA MATERIALS, INC.	28.80%
SCHELLINGER CONSTRUCTION	7.28%
MONTANA LINES INC (as Prime)	62.72%

Upcoming Dates

Next MDT Bid Letting is July 22, 2004

(Advertised June 24, 2004)

In the KNOW Zone

When there are no DBE project goals....



It is the responsibility of Montana Department of Transportation to ensure the yearly DBE goal of 6.29% is met during the 2004 federal fiscal year of October 1, 2003 to September 30, 2004 for our federal-aid highway projects. Through that process, MDT gives the prime contractor the

opportunity to meet the goal voluntarily via race neutral. If the DBE participation is above the yearly goal, there will be no project specific goals. However, MDT strongly encourages prime contractors to still use DBE companies on those projects with no DBE goals.

Remember, the yearly goal still needs to be met. If DBE participation falls below the yearly goal, you will see project-specific DBE goals.

It is much better for the contracting community to continually use DBE companies on as many projects as possible throughout the year. It is quite challenging to all parties to play catch up at the end of the year. Thank you.

DBE GOAL & PARTICIPATION... (For Federal-Aid MDT Projects)



FFY 2004 DBE GOAL IS 6.29%

FFY 2004 DBE PARTICIPATION IS 8.10%

MDT post the updated DBE Goal and participation on the Contractor's System web page at
<http://www.mdt.state.mt.us/cntrct/contract.htm>



MONTANA DBE COMPANY MONTHLY UPDATE

New Certified DBE Companies

Promatech, Inc.	Yvette Strehle	Riverside, NJ	Construction management and inspections and cost estimating,
Interspace Airport Advertising	Marianne Kaelberer	Allentown, PA	An airport advertising concessionaire.
Landmark Design, Inc.	Jan Striefel	Salt Lake City, UT	Landscape architecture work, work primarily in Utah, future work in Montana.

Recently Re-Certified DBE Companies

Hardrives Construction, Inc.	Jim Bailey	Billings, MT	Grading, pipe, excavation, culvert installation, places dirt & aggregate, asphalt paving, concrete forming and finishing, crack sealing.
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FRIENDLY REMINDER..... DBE Quarterly Reports are due **July 30th**

Forms are available on-line at <http://www.mdt.state.mt.us/civilrights/>

As Read MDT June 27, 2004 Bid Letting Results

Project #	Prime	Low Bid Amount	Project DBE Participation \$ / %	
NH 1-9(38)573 Oswego - E & W	E H Oftedal & Sons, Inc.	\$ 7,011,759	\$ 108,620.03	1.55%
STPS 323-1(16)25 40 KM South of Ekalaka - South	Frost Construction	\$ 6,069,968	\$ 40,391.00	0.67%
BR 32-1(11)34 West Fork Poplar River-27 KM S of Scobey	Sletten Construction	\$ 3,054,394	\$ 0.0	0.0%
NH 22-3(8)81 / NH 22-3(9)88 Culbertson - North / Culvert N. of Culbertson	Riverside Contracting, Inc.	\$ 1,511,991	\$ 0.0	0.0%
NH-CM 60-2(62)91 10th Ave S - 26th to 38th-Great Falls	United Materials of GF, Inc.	\$ 1,937,326	\$ 111,216.66	5.74%
CM 8116(6) Mount Ave-Russell to Hill -Msla	Montana Materials DBA LS Jensen	\$ 715,388	\$ 206,065.29	28.80%
STPHS 5809(20) 2000-N Montana INT IMP-Helena	Montana Lines, Inc.	\$ 395,085	\$ 247,781.90	62.72%
BH 9029(32) Madison River - 52 KM S Ennis	Sletten Construction	\$ 732,836	\$ 0.0	0.0%
CM 6714(5) / CM 6715(2) Center Street Kalispell	Schellinger Construction Co.	\$ 343,141	\$ 24,980.55	7.28%
CM 5805(9) / CM-BH 5815(5) Benton-Custer to Wilder	Helena Sand & Gravel	\$ 559,460	\$ 0.0	0.00%
BR 420-1(4)0 Sheep Creek - Absarokee	Bullock Contracting L.L.C.	\$ 183,304	\$ 0.0	0.00%

SPOTLIGHT

Darryl Red Eagle is the new Tribal Employment Rights Office (TERO) Director for the Fort Peck Reservation.



Ann Lambert & Darryl Red Eagle

Darryl works closely with Ann Lambert, advisor to the Fort Peck Tribal Council. Please call Darryl at 406-768-5807 to help you with your contract work on the Fort Peck reservation.

CONTRACTOR REGISTRATION NEWS NUGGETS

By Windy Knutson

The Contractor Registration Unit has updated its website to show an up-to-the-minute listing of construction contractors registered with the State of Montana. Contractor Registration is only required for construction businesses that have employees and also includes corporations and manager-managed limited liability companies.

In contrast, Contractor Registration is voluntary for contractors without employees.

<http://erd.dli.state.mt.us/wcregs/mtcontractor.asp>

Quote of the Month

Courage is doing what you're afraid to do.
There can be no courage unless you're scared.

Eddie Rickenbacker (1890-1973)

"Lowering Your Workers' Compensation Costs"

by Sean Thatcher
Montana Building Industry Association

As many of you may already know, the cost of workers' compensation insurance has become very expensive. When you add that to the list of increasing costs of everything else in your business, you will do almost anything to reduce these costs wherever you can. Lowering your workers' compensation costs is a good start, and it is simple and effective. Here are some things that you need to know in order to reduce your workers' compensation costs:

1. Obviously you need to decrease the number and the costs of injuries on the job. Ways to do this are to have company policies and procedures, safety guidelines and training programs in place and use them.
2. When hiring, have proper pre-screening procedures in place and use them with every hire. Never hire an employee as an act of desperation.
3. Require a standard job application from everyone that you are considering for the position. This makes it easier to compare employee experience and identify gaps in employment history.
4. Interview all prospective employees using a basic outline of questions. Document their responses and look for things like attitude problems, gaps in employment or high rates of absences at previous jobs.
5. It is critical to get at least two good references before you hire anyone. There is a problem if you can't get good references on an experienced employee.
6. A general orientation and safety orientation are required before the employee begins work. This lets them know what is expected of them and how to perform the job in a safe manner.
7. Provide training on any new equipment the employee will use before they use it, even if the employee claims to have prior experience.
8. Develop a relationship with a local physician, and in the event of a non-life threatening accident take the employee to this doctor or a walk-in clinic. Try to avoid the emergency room.
9. Report the injury to your workers' comp provider immediately. Statistics show that the cost of a claim goes up 10% every day that you wait to report.
10. Investigate the accident and determine what factors were involved. Take the necessary steps to prevent this from occurring again.
11. Bring the injured worker back to work as soon as possible, with light duty work, as part of your Early Return To Work (ERTW) program. This will save money in the long run and encourage your employee to get better.

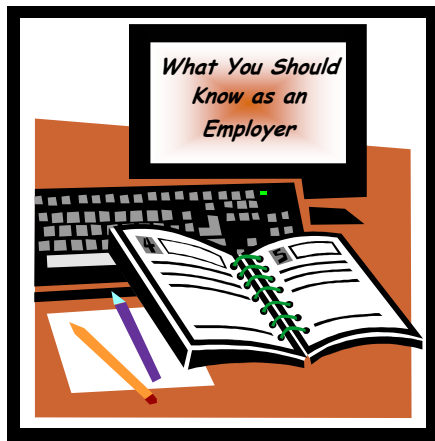
If you have any questions about reducing your workers' compensation costs or implementing an ERTW program contact the GRIP safety guys: Mark Merrick at 723.8831 or Sean Thatcher at 442.4479. www.montanabia.com/grip

Your Responsibility as an Employer—What You Should Know

One of the most difficult parts of being an employer is knowing about all the rules employers are responsible for following. This becomes especially difficult for small employers who do not have a human resources professional on staff and cannot afford to contact legal counsel every time they take a personnel action. Unfortunately, many of the rules for employers vary from state to state, industry to industry, and even from one employer in the same industry to another depending on the number of employees they have.

Probably the greatest variations arise from the differing requirements each state places on employers. While federal law is the same across the country, state requirements can modify or add significant additional responsibilities and/or employee protections an employer must observe.

For example, the federal Age Discrimination in Employment Act prohibits age based discrimination against individuals who are age forty or more. Montana's law, on the other hand, prohibits age based discrimination against all individuals regardless of their age. As a result, a company policy that, for example, limits jobs involving driving a motor vehicle to workers who are more than twenty-five years old would not violate federal law but may violate the stricter Montana law. If the employer operated in different jurisdictions, say Montana and Wyoming, there could be one set of rules under federal law that constitute a minimum standard and a different set of rules in Montana and yet a third set in Wyoming. A few of the ways in which Montana employment laws differ from federal requirements are listed below:



1. Federal law allows employers to use polygraph tests under certain circumstances. Montana law, however, prohibits the use of polygraphs under any circumstances.
2. Montana does not recognize the federal blanket minimum wage and overtime exemption for outside sales representatives. As a result, many outside sales persons working in Montana must receive minimum wage and, when working time exceeds forty hours in a work week, receive overtime.
3. Montana has probably the nation's only law on the subject of wrongful discharge. The Supreme Court recently ruled that the concept of "at-will employment" - the principle that allows employers to terminate employment without stating a business related reason-no longer exists except for probationary employees.
4. Montana has one of the nation's most restrictive laws on the use of employment related drug and alcohol tests.
5. Montana prohibits discrimination based on marital status. Marital status discrimination includes decisions that take into consideration the identity or occupation of a person's spouse. No similar provision exists in federal law.

Another of the challenges faced by employers is separating the "myth" from the reality of their responsibilities. Many common personnel practices can create problems for employers who utilize them improperly. Probably one of the most common mistakes made by employers is mis-classifying workers as "salaried"- believing that the payment of a salary makes an employee exempt from the requirement to pay overtime. While it is true that paying an employee on a salary basis is a requirement to be exempt, several additional standards must be met under both federal and state wage and hour laws. If the other requirements are not satisfied, a salaried employee must still be paid overtime- even if they are paid a salary.

Many employers look to governmental agencies for guidance. Unfortunately, they do not often know that some employment practices are permitted only for governmental employers. Two issues that fall into this category are the use of compensatory time (comp-time) and the practice of requiring employees forfeit vacation they accrued but did not use during a given year. Both of these practices are permitted for governmental employers but can cause problems for private sector employers.

Finally, even though an employer may be completely up to date on any given date, they must take steps to insure that they become aware of changes as they occur at the state and/or federal level. Employers should consider memberships in professional or trade associations that will keep them up to date. Organizations such as the Montana or local Chambers of Commerce or the local chapters of the Society for Human Resource Management provide such opportunities.

A number of Montana specific periodicals are also available including the Electronic Supervisor published by Personnel Plus! of Helena and the Montana Employment Law Letter edited by Billings Attorney Jeanne Bender and published by M. Lee Smith Publishers. Employer may also take advantage of the free employment consultation services available through the Montana Department of labor and Industry.

Being an employer or a supervisor can be one of the most difficult of jobs. If supervisors take the time to learn about their rights and responsibilities the job becomes significantly easier and it can be performed with a minimum of liability to the supervisor's employing organization.

Jim Nys is a local human resource consultant that owns and manages Personnel Plus! Consulting Services, Inc. in Helena. 406/443-7787 or by email at jim@personnel-plus.com

COMPUTER VIRUSES



Is There Life After Virus?

Advice from Tobe Johnson,
Consultant for
Johnson & Associates, Inc.

"Tobe, I opened an email and the next thing I knew my computer was crashing and I got a message that I had contracted a virus.

EVERYTHING I have is on my computer. Can you help me?"

Sound Familiar?

What exactly is a computer virus? Simply put, a computer virus is a program that copies itself from one diskette or computer to another. A disk or computer that has a virus is said to be *infected*. When an infected diskette is placed in a computer, (or an infected file is emailed to another computer,) the virus can copy itself onto the hard drive of the computer, infecting it as well. If other diskettes are later placed in the computer, the virus can copy itself onto them, infecting them also. This allows a virus to spread itself among many computers. Viruses (for the sake of space, I'm including trojans and worms in my virus definition) range from benign (such as simply printing a message) to destructive (such as erasing files or crashing hard drives).

Unfortunately, computer viruses are probably here to stay in one form or another. As long as there is someone working to stop a virus, it seems someone is working to create a new virus. It's the classic story of the 'good guys' vs. the 'bad guys'.

That said, how does the average consumer protect ourselves from these nasty critters? Here are a few suggestions:

1. **Always run updated** virus protection software on your computer or computers if you have more than one. In addition, keep a current anti-virus subscription to regularly download updates to your virus software. New viruses are being found daily. Your virus protection software must be updated regularly to be effective. Here are a couple good anti-virus software packages.

Norton Anti-Virus 2004 by Symantec:

<http://www.symantec.com>

Bsafe Home Security Suite:

<http://www.bsafefhome.com/?121994>

McAfee Virus Scan Pro: <http://www.McAfee.com/>

2. Many viruses contracted by the typical consumer are downloaded via email over the Internet. Here are some suggestions to minimize your Internet email exposure:
 - a. Find an Internet service provider (ISP) with virus scanning for their email accounts. Some ISP's do, some don't. Their anti-virus software creates one wall between you and the enemy. It may not be 100% effective, but it helps.
 - a. If you receive an email from a person you do not know and it has an attachment, DO NOT open the attachment. Generally, by simply viewing the message, you won't contract the virus. It's when you open the attached document that the virus (payload) is let loose on your

Computer Viruses—continued.

machine. It doesn't matter if it says 'love-letter-for-you.txt.vbs' or 'inforequested', or 'neighborinfo'. If you don't recognize the sender, don't open the attachment. Period. Microsoft does not send out Windows updates to people via email attachments.

If it's not your wife or husband, you don't need to be looking at the love letter. If you want to know something about your neighbor, go ask him instead of trying to get that 'secret information'. At best, the email is spam. At worst it is a virus. In either case, you don't need it.

3. Don't insert floppy diskettes from a friend or business associate that hasn't been scanned for viruses. Write protect your own floppy diskettes before loaning them out so they don't come back with an attached 'guest'. Write protected disks cannot be infected.
4. Never download software from a web site you don't know and trust. This includes screensavers and 'joke' programs.

So, what do I tell my clients who have a computer crippled by a virus? I tell them to do the same thing I would do if it were me: take it to the computer shop and have them fix it. In most cases (but not all), with the right expertise, your data/information can be saved. There is life after virus.

Tobe Johnson (<http://www.johnsons.net>) is a consultant and project manager for Johnson & Associates, Inc. building Internet web sites for companies. tobe@johnsons.net.
406-458-9173 * * Toll Free: 866-401-3861

MCA DBE LIAISON COMMITTEE

The Committee is comprised of members from MDT, DBE companies, subcontractors and contractors.

Donna Taylor	Oftedal
Marny Harrison	Century
Doug Dahlberg	JTL Missoula
Sue Platis	Highway Specialties
Katie Trotter	Poteet Construction
Wade Sellers	United Rentals-Alpine
Pat Bibeau	PS Contracting
Ted Burch	FHWA
Leslie Wootan	MDT DBE Program
Rebecca Johnson	MDT DBE - SS Program
Elaine Hodgkin	MDT DBE - SS Program

The focus of this committee is to share ideas to build a better DBE program in Montana that will compliment the contracting community as a whole, and assure continuation of the flow of funds for highway projects.

The Committee plans to meet monthly. If you would like to have your ideas, concerns and/or issues brought up for discussion, please contact Rebecca Johnson or Elaine Hodgkin at 800-883-5811.

MDT Highway Construction Projects

Invitation for Bids, Letting of July 22, 2004

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/cntrct/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Bureau, Room 101, 2701 Prospect, Helena, MT until 9:00 a.m. on July 22, 2004, the bids being publicly opened and read thereafter at 10:00 a.m. in the Department's auditorium. Bid proposals, plans, cross-sections, dirt runs & erosion control plans if available, and full instructions to bidders are on file for examination and may be obtained from the Contract Plans Bureau at 406-444-6216, 6212 or 6215, TTY 406-444-7696, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

Dutton North & South, Federal Aid Project No. IM 15-6(35)309, cold mill, grading, hot plant recycled and plant mix surfacing, drainage, striping, fencing and bridge rehabilitation on 20.3 on the Dutton - North & South project on I-15 in Teton County.

40 km North of Havre - No. 10th St. - 1st to 5th Avenue - Havre & 13th Street - Monroe to 1st - Havre Federal Aid Project Nos. STPS 233-1(8)22, CM 5707(3) & CM 5709(7), Grading, gravel surfacing, plant mix bituminous surfacing, seal and cover on 13.924 kilometers of the 40 kilometers North of Havre - North project in Hill County.

Musselshell County Line - Northwest, Federal Aid Project No. STPS 310-2(5)26, Grading, gravel and plant mix surfacing on approximately 11.5 kilometers in Yellowstone and Musselshell Counties.

Second Street - Harlowton, Federal Aid Project No. STPP 14-3(16)99, Cold milling, plant mix surfacing overlay, seal and cover, sidewalk and pavement markings on the Second Street - Harlowton project in Wheatland County.

Swamp Creek - East (Test Berms), Federal Aid Project No. NH 1-1(73)49, Construct test berms, install monitoring equipment and monitor settlement at two locations on the Swamp Creek - East (Test Berms) project in Lincoln County.

Chinook to K Street - Livingston & Geyser - Park to F Street - Livingston, Federal Aid Project Nos. CM 7406(5) & CM 7410(2), Overlay, seal and cover within the city limits of Livingston in Park County.

1998 - D2- Slope Flattening, Federal Aid Project No. STPHS 0002(625), Slope flattening work at four locations on the 1998 D2-Slope Flattening project in Beaverhead, Madison and Gallatin Counties.

Culvert - SW of Charlo, Federal Aid Project No. STPS 212-2(14)11, 1200 mm culvert, grading, gravel surfacing, plant mix surfacing, seal and cover on the culvert - SW of Charlo project in Lake County.

Retaining Wall Repair - South of Dillon, Federal Aid Project No. IM 15-1(98)52, Repair damaged reinforced concrete retaining wall and rock fall fence, including steel posts, chain link fencing, steel cable and cable anchors on the Retaining Wall Repair—So of Dillon project in Beaverhead County.

More MT Contracting Opportunities

Construct Grade Control Structures, Bureau of Reclamation, Bid Due Date: July 26, 2004, Excavate and construct grade control structures within Cave Gulch near Kim's Marina,

Canyon Ferry Reservoir. Tom Carrillo 406-247-7301

<http://www.eps.gov/spg/DOI/BR/BR/04SQ670024/listing.html>

Foothills Road Restoration, RFP_R1-16-04-418, Bid Due Date: June 18, 2004, Lolo National Forest, Missoula, Reconditioning of approximately 8.5 miles of Foothills Road Diane Thompson, 406-329-3889, dkthompson@fs.fed.us
http://www.eps.gov/spg/USDA/FS/03R6/RFP_R1-16-04-418/listing.html

Arlene Corridor Improvements, Grand Avenue to Poly Drive, City of Billings, Bid Due Date: July 20, 2004,
<http://ci.billings.mt.us/Online/rfp.php>

Lease Water Dispensing Operation, City of Billings, Bid Due Date: July 19, 2004, <http://ci.billings.mt.us/Online/rfp.php>

Montana Department of Transportation

Joliet West Chip Seal, 307222, MDT, Bid Due Date: July 13, 2004

Wildlife Fence on I-15 South of Helena, 307228, Bid Due Date: July 15, 2004

Relocation of Halfway Ranch House, Stillwater County, 307218, Bid Due Date: August 6, 2004

Crack Sealing 4 Sites Near Miles City, 307233, Bid Due Date: July 14, 2004

Crack Sealing Southeast of Forsyth, 307234, Bid Due Date: July 14, 2004

Demolition/Removal of State Owned Properties, 307231, Bid Due Date: Aug 12, 2004

Chip Seal North of Seeley Lake, 307237, Bid Due Date: July 15, 2004

Crack Sealing Alberton East & West, 307241, Bid Due Date: July 16, 2004

Montana Department of Environmental Quality

Wickes Smelter Site Reclamation Project, IFB405003 WICKES, Bid Due Date: July 15, 2004

<http://www.discoveringmontana.com/doa/gsd/osbs/default.asp>

Upcoming Great Falls Airport Construction Project

Hopes are high in Great Falls for an economic boost expected to follow work on the airport, according to a report in the Great Falls Tribune.

Proposed improvements to the main runway at Great Falls International Airport would allow operations in low visibility during unfavorable weather. The expanded accessibility could be attractive to businesses dependent on air transportation like the FedEx hub already in Great Falls.

The project is expected to cost \$29 million and begin in 2006. Bids for the construction contract will be taken next year.

Article is from Western Business Publication, May 2004 issue

MONTANA CONFERENCE ON RACE 2004 August 12 & 13 (Helena)

Registration: Before July 30, 2004: \$55, After \$65

For more information go to WEBSITE below:

<http://www.mdt.state.mt.us/tribal/mcr2004.html>



MDT CIVIL RIGHTS BUREAU

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Rebecca L. Johnson, DBE Supportive Services Manager,
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Vicky Koch, Civil Rights Bureau Chief
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Jim Phillips, EEO Compliance Specialist
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aflesch@state.mt.us (406) 444-9229

2701 Prospect Avenue/PO Box 201001, Helena, MT 59620-1001, (406) 444-6331, Fax (406) 444-7685 TTY (800) 335-7592
www.mdt.state.mt.us/civilrights/ and click on Civil Rights Bu-

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